

---

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

---

CAITLIN MCGILL; NINA MCGILL;  
HEATHER ALDRIDGE; and BRAD  
ALDRIDGE,

Plaintiffs,

v.

INTERMOUNTAIN HEALTH CARE,

Defendant.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Case No. 2:20-cv-00790-JNP-CMR

Judge Jill N. Parrish

---

Magistrate Judge Cecilia M. Romero issued a Report and Recommendation that the court grant defendant Intermountain Health Care’s (“IHC”) renewed motion for sanctions (ECF No. 25), dismiss the instant action without prejudice, and order plaintiffs Caitlin McGill, Nina McGill, Heather Aldridge, and Brad Aldridge (collectively, “Plaintiffs”) to pay IHC’s “attorney fees incurred in connection with Plaintiffs’ discovery failures.” ECF No. 33. Judge Romero notified Plaintiffs that a failure to file a timely objection to her recommendation could waive any objections to it. No objection was filed within the allotted time.

Because Plaintiffs did not object to the Report and Recommendation, any argument that it was in error has been waived. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). The court will decline to apply the waiver rule only if “the interests of justice so dictate.” *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). The court has reviewed the Report and Recommendation and concludes it is not clearly erroneous. Thus, the court finds that the interests of justice do not warrant deviation from the waiver rule and ADOPTS IN FULL the Report and Recommendation.

Accordingly, the court ORDERS as follows:

1. The Report and Recommendation, ECF No. 33, is ADOPTED IN FULL.
2. IHC's renewed motion for sanctions, ECF No. 25, is GRANTED.
3. The instant case is DISMISSED WITHOUT PREJUDICE.
4. Plaintiffs ARE ORDERED to pay IHC's attorney fees incurred in connection with Plaintiffs' discovery failures. IHC must submit a fee affidavit within 14 days of entry of this order.

**DATED** May 6, 2022.

BY THE COURT:



---

JILL N. PARRISH  
United States District Judge